

# **WIOA Program Complaints and Grievance Guidance**



**Missouri Office of Workforce Development  
Equal Opportunity Unit**

**Email: [DWDComplaintsandGrievances@dhewd.mo.gov](mailto:DWDComplaintsandGrievances@dhewd.mo.gov)**

**Website: [jobs.mo.gov/dwdmain](http://jobs.mo.gov/dwdmain)**



## OWD Equal Opportunity

The Missouri Office of Workforce Development is a proud partner of the American Job Center network.

The Missouri Department of Higher Education and Workforce Development is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Missouri Relay Services at 711.

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## Program Complaints and Grievances under WIOA

### Executive Summary

An individual or a group of individuals may file a grievance or complaint at any time regarding local or State WIOA policies, programs, activities, etc.

Examples of this type of grievance include:

- customer disputes
- employee disputes
- discipline, demotion, or classification disputes
- customer/staff treatment eligibility
- denial of services or benefits, etc.
- policies and procedures
- program, supportive service, or training assistance or selection process

## What is a program complaint and grievance under WIOA?

### **20 CFR 683.600**

#### **WHAT LOCAL AREA, STATE, AND DIRECT RECIPIENT GRIEVANCE PROCEDURES MUST BE ESTABLISHED?**

Each local area, State, outlying area, and direct recipient of funds under title I of WIOA, except for Job Corps, must establish and maintain a procedure for participants and other interested parties to file grievances and complaints alleging violations of the requirements of title I of WIOA, according to the requirements of this section.

**A program complaint and a discrimination complaint can look very similar. Both complaints have an issue or problem.**

- A discrimination complaints alleges one of the following prohibited basis under WIOA:
  - ☐ Race
  - ☐ Color
  - ☐ National Origin
  - ☐ Age
  - ☐ Disability
  - ☐ Sex
  - ☐ Religion
  - ☐ Political Affiliation or belief
  - ☐ Citizenship (participants only)
  - ☐ WIOA participant status(participant only)
- A program complaint is any complaint not alleging discrimination.

|                             | <b>Discrimination Complaint</b> | <b>Program Complaint</b>                                |
|-----------------------------|---------------------------------|---------------------------------------------------------|
| <b>Elements included</b>    | An issue<br>A prohibited basis  | An Issue<br>A non-prohibited basis                      |
| <b>Procedures to follow</b> | CRC regulations at 29 CFR 38    | ETA regulations at 20 CFR Subpart F, Sec. 683.600[a][b] |

## LOCAL BOARDS MUST PROVIDE

- Provide information about how to file a grievance or complaint including procedures for participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers;
- The Local Boards must publicize their local procedures;
- Must **make reasonable** efforts to ensure that the information in the local policy will be understood by **affected participants** and other **individuals, including youth and those who are limited-English proficient**.
- A process for dealing with grievances and complaints from participants and other interested parties affected by the local workforce development system, including one-stop partners and service providers;
- An opportunity for an **informal** resolution and a **hearing** to be completed within **60 days** of the filing of the grievance or complaint;



## WHAT DOES THIS PROCESS LOOK LIKE FOR THE COMPLAINANT?

- Complainant provides:
  - ☐ Name/address or other means of contact
  - ☐ Identifies the respondent (individual or entity)
  - ☐ Describes the allegations in detail
  - ☐ Signs complaint or their authorized representative (an email is acceptable)
- An opportunity for appeal to a State entity when:
  - ☐ If no decision is reached within 60 days; or
  - ☐ Either party is dissatisfied with the local hearing decision.

## INFORMING THE PUBLIC

- Websites
- Computer screens in the job center with a link to Local Board website for policies and procedures
- Information sheets/brochures

The local boards or administrative entity should have a method for all individuals to understand the local program complaint and grievance process.

## WHO MAY FILE A COMPLAINT?

- General Public,
- Any applicant,
- Employee,
- Participant,
- Service provider,
- Program recipient,
- Or other interested party may file a complaint alleging a violation of local WIOA program policies or any other complaint.

## WHAT DOES THIS PROCESS LOOK LIKE?

- As the Local EO, you must write a letter to the Complainant recognizing that you received the complaint.
- In the letter you must address in chronological order the events or conditions alleged to be a violation of WIOA or subject of complaint;
- Address any relevant correspondence;
- The letter should provide information about resolving the complaint or grievance informally.

## TIME AND PLACE FOR FILING

Complaints may be filed with the local administrative entity or the service provider within one (1) year from the date of the event or condition alleged to be a violation of WIOA or any other complaint within the workforce system.

### Step One - Initial Review

- Log the complaint
- Establish a “complaint file” containing:
  1. Application and enrollment forms;
  2. Completed General WIOA Complaint Form (or complainant’s written statement);
  3. Chronological log of events or conditions alleged to be a violation of WIOA;
  4. Any relevant correspondence; and
  5. Record of the attempted informal resolution.

### Step Two - Informal Resolution

- The Local Equal Opportunity Officer or administrative entity will **attempt** to **informally resolve** the complaint to the satisfaction of **all parties**.

### Step Two - Informal Resolution (Continued)

- The **informal resolution process** must be completed within **ten (10)** business days from the date the complaint is filed.
- If all parties are **satisfied**, the complaint is considered **resolved**, and the terms and conditions of the resolution must be **documented in the complainant's separate written complaint file**.
- You must provide a formal letter acknowledging the complaint has been **resolved** and include the terms of the agreement.
- If your local board's policy allows your service provider to attempt **informal resolution**, the service provider would forward the complaint file to the local board.
- The local board or administrative entity will review the complaint file and investigate it further **if necessary**.

## Exercise

In your groups, take a few minutes to discuss and create a mock complaint that you might receive. Groups will exchange scenarios and record steps and ideas for how to resolve these mock complaints.

### Step Three - Formal Resolution

- When an **informal resolution** is not possible, the local board or administrative entity will issue a determination within **twenty (20)** calendar days from the date the complaint was filed.
- **Formal Resolution** will require a formal investigation of allegations mentioned in the complaint.

#### Analyze the Evidence:

- Direct evidence is in the form of testimony from a witness who actually saw, heard, or touched the subject of questioning.

*Circumstantial evidence relies on an inference to connect it to a conclusion of fact—like a fingerprint at the scene of a crime. By contrast, direct evidence supports the truth of an assertion directly—i.e., without need for any additional evidence or inference.*

*Comparative evidence is most often thought of as identifying differences in treatment of similarly situated individuals.*

### Initially Keep An Open Mind

**Do not** rush to judgement based on isolated pieces of evidence.

- Look at the evidence gathered **as a whole**.
- Examine the process under investigation from the perspectives of **both** the Complainant and the Respondent.
- Look for **inconsistencies** in the Complainant's or the Respondent's versions of events.
- Look for the existence, or absence of **corroborating** evidence.

### Take a close Look At the Respondent's statement(s)

- Look closely at the Respondent's **reason** for their conduct.
- The Respondent should have a clear reason for their action that backs **policies and procedures**.
- The investigator should be able to **verify** the Respondent's reason(s) for their decision and or conduct.



### **Make Credibility Findings**

- Re-read all of the information gathered to address the facts in dispute.
- Once you have noted areas of agreement between the parties and made credibility findings to determine what occurred in the areas of disagreement, write the final determination.

Make the decision regarding whom to believe and why after taking the following factors into consideration:

- √ Were statements provided by the Complainant or the Respondent false, misleading, inconsistent, or factually incorrect?
- √ In the absence of witnesses or documents to corroborate a version of the facts in dispute, is there comparative, quantifiable, or statistical data that shifts the weight in favor of Complainant or Respondent? If so, this may provide a basis for determining who is more credible.
- √ Check for statistical data addressing treatment of similarly situated groups of people to corroborate the Complainant or Respondent's versions of the facts.

### Step Three - Formal Resolution

- Keep in mind, the investigation should be completed within **20 calendar days from the date the complaint is filed.**
- The determination letter should notify the parties of the decision.
- The determination letter answers the issue(s) framed in the initial letter sent to both parties notifying a complaint was received.

### Organize your Determination Letter in the following format:

- ☐ Statement of authority to investigate the complaint
  - ☐ Confirmation of the issue(s) presented for the investigation
  - ☐ Any areas of agreement of the parties
  - ☐ Findings of fact
  - ☐ Analysis
  - ☐ Conclusions
  - ☐ Remedies (if any)
  - ☐ Statement of right to a hearing
- Any dissatisfied party may request a hearing within seven (7) calendar days of the date of determination.

## Exercise

### Step Four: Hearings

- If either party requests a hearing within seven (7) calendar days of the date of determination, the local board or administrative entity will designate a hearing officer or committee to ensure the complaint receives fair and impartial treatment.
- A complainant may amend or **withdraw** his or her complaint at **any** time prior to a scheduled **hearing**.

### Who can be a hearing officer?

- Local Board Members or Local Board Member Committee
- Hired/Volunteer Mediator
- Outside party that will be impartial

The person(s) participating in the decision making process in the hearing **may not** have participated in the informal and formal process of the complaint.

## HEARINGS (Continued)

- The hearing must be conducted within **forty-five (45)** calendar days from the date the complaint was filed.
- The hearing officer or committee will schedule a **formal hearing** and mail a written notice to the complainant, the respondent, and any other interested party at least **seven (7)** business days prior to the hearing.
- The notice will include the date, time, and place of the hearing.
- Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses.
- The complainant may request that records and documents be produced. Attorneys or another designated representative (s) may represent each party. All testimony will be taken under oath or affirmation.

## HEARINGS

- The hearing will be recorded either in writing or by audiotape.
- The hearing officer's (or committee's) recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based.
- The hearing officer or committee will also concur with the chief local elected official (CLEO) toward reaching consensus on the recommended resolution to the complaint.
- If consensus cannot be reached, the hearing officer or committee will initiate a request to the state for resolution.
- The local administrative entity will review the recommendation of the hearing officer/committee and issue a **Final Decision** within **sixty (60)** calendar days from the date the complaint was filed.
- The **Final Decision** should be formatted in the same structure as the **Determination Letter**.

## APPEAL TO THE STATE

- Any party dissatisfied with the local board or administrative entity's **Final Decision**, or any party who has not received either a **Final Decision** or a resolution within **sixty (60)** calendar days from the date the complaint was filed, may request an **appeal**.
- The **appeal** must be received by the OWD within **ninety (90)** calendar days from the date the complaint was filed.

## Exercise

As a group, make a quick timeline or outline of deadlines in the Complaint Process.  
List parties responsible at each point.





## **Appendix A: Notice of Program Complaints/Grievances Received**

### ***NOTICE Program Complaints/Grievances Received***

July 26, 20XX

Jane Doe  
PO Box 11111  
City of W, State of Y 11111

Dear Ms. Doe:

This letter serves as your notice that this office has accepted your program complaint/grievance against\_\_\_\_\_ (Respondent). We consider this complaint as having been filed on <DATE>\_\_\_\_\_. You have the right to be represented by an attorney or other representative in the complaint process.

The Local Board of Y has authority to investigate and determine program complaints/grievances arising under the following statutes and their implementing regulations found under the Workforce Innovation and Opportunity Act (WIOA), 20 CFR Part 683.600.

In order for this office to have authority to investigate your complaint, the complaint must comply with the following basic Federal requirements:

- ✓ The complaint must be in writing;
- ✓ Include name/address or other means of contact for the Charging Party
- ✓ Identify the Respondent (individual or entity)
- ✓ Describe the allegations in detail
- ✓ Signed complaint or their authorized representative (an email is acceptable)
- ✓ Complaint may be filed within one year from date of the event or condition alleged to be a violation of WIOA or any other complaint within the workforce system.

The following outlines our process for program complaints/grievances:

1. Attempt to informally resolve the complaint
2. Formal investigation if the complaint is not resolved informally
3. A hearing may be requested if any party is dissatisfied with the outcome of the formal investigation

4. An appeal to the state if any party is dissatisfied with the outcome of the hearing.

This office will conduct interviews with all parties through email, in-person or by telephone. We will be in touch with you to schedule your interview. In the meantime, if you have any questions, or need clarification, please feel free to contact me.

Respectfully,  
/s/  
Jessie Smith  
Local Y EO Officer

## Appendix B: Notice of Acceptance Program Complaints and Grievances

### NOTICE OF ACCEPTANCE

May 15, 20XX

Jane Doe  
PO Box 11111  
City of W, State of Y 11111  
(Charging Party)

ABC Corporation  
12345  
Show-Me, MO 12345  
(Respondent)

Dear Ms. Doe:

This letter serves as your notice that this office has accepted your program complaint and grievance against\_\_\_\_\_ (Respondent). We consider this complaint as having been filed on <DATE>\_\_\_\_\_. You have the right to be represented by an attorney or other representative in the complaint process.

The Local Board of Y has authority to investigate and determine program complaints/grievances arising under the following statutes and their implementing regulations found under the Workforce Innovation and Opportunity Act (WIOA), 20 CFR Part 683.600.

In order for this office to have authority to investigate your complaint, the complaint must comply with the following basic Federal requirements:

- ✓ The complaint must be in writing;
- ✓ Include name/address or other means of contact for the Charging Party
- ✓ Identify the Respondent (individual or entity)
- ✓ Describe the allegations in detail
- ✓ Signed complaint or their authorized representative (an email is acceptable)
- ✓ Complaint may be filed within one year from date of the event or condition alleged to be a violation of WIOA or any other complaint within the workforce system.

We will conduct an investigation once you make a complaint against a Respondent that meets all of the basic requirements outlined above.

## **Jurisdiction**

By "Notice of Acceptance" dated \_\_\_\_\_, the parties were notified that I accepted a program complaint/grievance filed by \_\_\_\_\_, the Charging Party (CP), against \_\_\_\_\_ (the Respondent). The CP alleges that the Respondent did \_\_\_\_\_. The CP's complaint is timely filed and meets all other jurisdictional requirements. I have jurisdiction to investigate and decide this matter.

## **II**

### **Issue(s) Accepted for Investigation**

The following issue accepted for investigation was set forth in my "Notice of Acceptance" and is the subject of this "Notice of Final Action"

*(State the issue exactly as it is stated in the in the written complaint. Do not modify or change the issue in any way.)*

## **III**

### **Interrogatories and Document Production Request**

***We are requesting your response to the set of interrogatories (questions) we have included with this letter. The other party will also receive a set of interrogatories and will be asked to provide answers. The deadline for submission of the interrogatory responses is \_\_\_\_\_. If we do not receive your answers to these interrogatories by the deadline, we may dismiss your complaint.***

***\*\*\*THIS AREA IS OPTIONAL. YOU MAY INCLUDE IN YOUR ACCEPTANCE LETTER YOUR QUESTIONS FOR BOTH PARTIES. \*\*\*\*\****

## **IV**

### **Right to Representation**

Please be advised that both the complainant and Respondent have the right to be represented by an attorney or other individual of their choice. Securing representation for this complaint process is not required, but is permitted.

## **V**

### **Program Complaint and Grievance Process**

The following outlines our process for program complaints/grievances:

5. We attempt to informally resolve the complaint.
  6. We conduct a formal investigation if the complaint is not resolved informally.
  7. We schedule a hearing if requested by any party who is dissatisfied with the outcome of the formal investigation.
  8. Any party may appeal to the state if dissatisfied with the outcome of the hearing
- You are notified by receiving this letter of acceptance, our office is not processing the formal investigation process.

This office will conduct interviews with all parties, either in-person or by telephone. We will be in touch with you to schedule your interview. In the meantime, if you have any questions, or need clarification, please feel free to contact me at 573-XXX-XXXX or [JessieSmith@Local.org](mailto:JessieSmith@Local.org).

Respectfully,  
/s/  
Jessie Smith  
Local Y EO Officer

## **Appendix C: Notice of Program Complaints and Grievances Final Determination**

### ***NOTICE OF FINAL DETERMINATION***

July 25, 2007

Jane Doe  
PO Box 11111  
City of W, State of Y 11111

Dear Ms. Doe:

This letter serves as your notice that this office has received your program complaint/grievance against\_\_\_\_\_ (Respondent). We consider this complaint as having been filed on <DATE>\_\_\_\_\_. You have the right to be represented by an attorney or other representative in the complaint process.

The Local Board of Y will attempt to resolve and also has the authority to investigate and determine program complaints/grievances arising under the following statutes and their implementing regulations found under the Workforce Innovation and Opportunity Act (WIOA), 20 CFR Part 683.600.

In order for this office to have authority to investigate your complaint, the complaint must comply with the following basic Federal requirements:

- ✓ The complaint must be in writing;
- ✓ Include name/address or other means of contact for the Charging Party
- ✓ Identify the Respondent (individual or entity)
- ✓ Describe the allegations in detail
- ✓ Signed complaint or their authorized representative (an email is acceptable)
- ✓ Complaint may be filed within one year from date of the event or condition alleged to be a violation of WIOA or any other complaint within the workforce system.

The following outlines our process for program complaints/grievances:

9. We attempt to informally resolve the complaint.
10. We conduct a formal investigation if the complaint is not resolved informally.
11. We schedule a hearing if requested by any party who is dissatisfied with the outcome of the formal investigation.
12. Any party may appeal to the state if any party is dissatisfied with the outcome of the hearing.

If we determine that your complaint, and the allegations you make against the Respondent, meet all of the basic Federal requirements, we will conduct an investigation and make a determination on the outcome of the complaint. Here is a list of the issues that we accepted and investigated:

Here is a list of the issues that we do not accept, and the reason(s) why each issue is being rejected:

## **I Jurisdiction**

*By "Notice of Acceptance" dated \_\_\_\_\_, the parties were notified that I accepted a program complaint/grievance filed by \_\_\_\_\_, the Charging Party (CP), against \_\_\_\_\_ (the Respondent). The CP alleges that the Respondent did \_\_\_\_\_. The CP's complaint is timely filed and meets all other jurisdictional requirements. I have jurisdiction to investigate and decide this matter.*

## **II Issues Accepted**

The following issue accepted for investigation was set forth in my "Notice of Acceptance" and is the subject of this "Notice of Final Action"

*State the issue exactly as it is stated in the "Notice of Acceptance." Do not modify or change the issue in any way.*

## **III Stipulations or areas of Agreement of the Parties**

The parties have reached agreement, or stipulated to, the following facts pertinent to the complaint investigation:

Describe what both parties agree on in this section.

## **IV Finding of Facts**

Based on documentation and statements submitted by the CP and the Respondent, I make the following findings of fact:

*[Number each relevant finding of fact separately. It is best to state the facts in date and time chronology---- oldest to newest.]*



## **V**

### **Analysis**

*[For the issue listed in Part II of this document, list each element of proof separately and make a finding whether the CP has/has not established that element.]*

## **VI**

### **Conclusion**

With regard to the issue accepted for this complaint investigation, and based on the foregoing findings of fact, it is concluded that:

[Provide a simple statement answering the issue. For example: It is determined that the Respondent did provide supportive services to the CP in the amount of \$500 for car repairs.]

This determination is the final decision of the Local Workforce Board Y and concludes our processing of this matter.

## **VII**

### **Remedies**

If you find that there are remedies to be provided for the complainant to be made whole, then set forth the remedies, in this section and include the following statement:

The Respondent's failure to achieve compliance with this Notice of Final Action on or before \_\_\_\_\_ shall constitute a finding that voluntary compliance cannot be achieved, and may result in sanctions applied against the Respondent.

## **VIII**

### **Notice of Right to Request a Hearing**

If either party is dissatisfied with this Notice of Final Action, you may request a hearing with the Local Y board within seven (7) days from receipt of this letter at abcde.fg.gov or by 123-456-7890.

Respectfully,

/s/

Jessie Smith

Local of Y EO Officer

## Appendix B: Notice of Program Complaints and Grievances Hearing

### NOTICE OF HEARING

XXXX XX28, 201X

XXXXX

XXXXX

XXXXXX

#### ***Charging Party***

XXXXXXX

#### ***Respondent***

Dear Parties:

A hearing has been requested and will be held (date – optional) to review the decision of the XYZ WDB that was completed on (date).

The XYZ WDB will/has designate(d) a Hearing Officer or committee to ensure the complaint receives fair and impartial treatment.

Optional paragraph - A written notice of the hearing will be sent to both the complainant and the respondent, and any other interested party at least **seven (7)** business days prior to the hearing.

Retaliation against, or intimidation of, anyone who takes part in any of the following actions related to nondiscrimination or equal opportunity or investigation is prohibited: filing a discrimination complaint, opposing a practice that is made illegal by civil rights law, giving information to, testifying at, or taking part in any other way in an investigation, a compliance review, a hearing, or any other type of civil rights-related activity.

#### **Right to representation**

Please be advised that, “both the complainant and respondent have the right to be represented by an attorney or other individual of their choice.” Securing representation for this complaint process is not required, but is permitted.

#### **Pre-Hearing**

The Hearing Officer may conduct a pre-hearing conference (on or off the record) immediately before the start of the evidentiary hearing to rule on any settlement possibilities, and to clarify the issues to be decided and discuss the logistics of the hearing.

## Terms of Hearing

Parties may present witnesses and documentary evidence, and question others who present evidence and witnesses. The complainant may request that records and documents be produced. Attorneys or another designated representative (s) may represent each party. All testimony will be taken under oath or affirmation. The hearing will be recorded either in writing or by audiotape.

- ✓ The Hearing Officer or Committee may provide an "Introductory Statement" on the record highlighting the hearing procedures to be followed for the hearing.
- ✓ The Hearing Officer or Committee will administer the oath or affirmation to both parties and witnesses.
- ✓ The Hearing Officer or Committee must allow both parties to provide and open statement explaining what each intends to prove at the hearing.
- ✓ Each party will have the opportunity to present evidence which will include any documentation, live witness testimony, photographs, objects, etc.
- ✓ Exhibits/documentations: Before the hearing, it is recommended that documents be marked for identification with sequential numbering of any additional documents you intend to offer into evidence (e.g., Complainant's Exhibit No. 1).
- ✓ Objections: The Hearing Officer or Committee must provide rules for the hearing allowing each party to question the other party and witnesses if need be.
- ✓ Closing Statements: Both parties may give closing statements summarizing the evidence and points of their case they want the Hearing Officer to consider. Keep in mind that closing statements are not evidence. The Hearing Officer or Committee will decide whether the statement will be written or oral. If written, statements will include any post-hearing briefing ordered by the Hearing Officer or Committee. If oral, statements generally are made immediately after both parties rest their cases.

## Final Resolution

The Hearing Officer's or Committee's recommended resolution will include a summary of factual evidence presented during the hearing and the conclusions upon which the recommendation is based. The Hearing Officer or Committee will also concur with the chief local elected official (CLEO) toward reaching consensus on the recommended resolution of the complaint. If consensus cannot be reached, the hearing officer or committee will initiate a request to the state for resolution.

The local administrative entity will review the recommendation of the hearing officer/committee and issue a **Final Decision** within **sixty (60)** calendar days from the date the complaint was filed.

Any party dissatisfied with the local board or administrative entity's **Final Decision**, or any party who has not received either a **Final Decision** or a resolution within **sixty (60)** calendar days from the date the complaint was filed, may request an **appeal**. The **appeal** must be received by the Missouri Office of Workforce Development (OWD) within

**ninety (90)** calendar days from the date the complaint was filed at the following address.

OWD Program Complaint and Grievance  
Attention: Danielle Smith  
P.O. Box 1087  
Jefferson City, MO 65102

Or

Email: [danielle.smith@dhewd.mo.gov](mailto:danielle.smith@dhewd.mo.gov)

If you have any questions, or need clarification, please feel free to contact me.

Respectfully,

ABC XYZ (Local WIOA Equal Opportunity Officer)

## ***NOTICE OF FINAL DETERMINATION***

July 25, 2007

Jane Doe  
PO Box 11111  
City of W, State of Y 11111

Dear Ms. Doe:

This letter serves as your notice that this office has received your program complaint/grievance against \_\_\_\_\_ (Respondent). We consider this complaint as having been filed on <DATE> \_\_\_\_\_. You have the right to be represented by an attorney or other representative in the complaint process.

The Local Board of Y will attempt to resolve and also has the authority to investigate and determine program complaints/grievances arising under the following statutes and their implementing regulations found under the Workforce Innovation and Opportunity Act (WIOA), 20 CFR Part 683.600.

In order for this office to have authority to investigate your complaint, the complaint must comply with the following basic Federal requirements:

- ✓ The complaint must be in writing;
- ✓ Include name/address or other means of contact for the Charging Party
- ✓ Identify the Respondent (individual or entity)
- ✓ Describe the allegations in detail
- ✓ Signed complaint or their authorized representative (an email is acceptable)
- ✓ Complaint may be filed within one year from date of the event or condition alleged to be a violation of WIOA or any other complaint within the workforce system.

The following outlines our process for program complaints/grievances:

13. We attempt to informally resolve the complaint.
14. We conduct a formal investigation if the complaint is not resolved informally.
15. We schedule a hearing if requested by any party who is dissatisfied with the outcome of the formal investigation.
16. Any party may appeal to the state if any party is dissatisfied with the outcome of the hearing.

If we determine that your complaint, and the allegations you make against the Respondent, meet all of the basic Federal requirements, we will conduct an investigation and make a determination on the outcome of the complaint. Here is a list of the issues that we accepted and investigated:

Here is a list of the issues that we do not accept, and the reason(s) why each issue is being rejected:

## **I Jurisdiction**

*By "Notice of Acceptance" dated \_\_\_\_\_, the parties were notified that I accepted a program complaint/grievance filed by \_\_\_\_\_, the Charging Party (CP), against \_\_\_\_\_ (the Respondent). The CP alleges that the Respondent did \_\_\_\_\_. The CP's complaint is timely filed and meets all other jurisdictional requirements. I have jurisdiction to investigate and decide this matter.*

## **II Issues Accepted**

The following issue accepted for investigation was set forth in my "Notice of Acceptance" and is the subject of this "Notice of Final Action"

*State the issue exactly as it is stated in the "Notice of Acceptance." Do not modify or change the issue in any way.*

## **III Stipulations or areas of Agreement of the Parties**

The parties have reached agreement, or stipulated to, the following facts pertinent to the complaint investigation:

Describe what both parties agree on in this section.

## **IV Finding of Facts**

Based on documentation and statements submitted by the CP and the Respondent, I make the following findings of fact:

*[Number each relevant finding of fact separately. It is best to state the facts in date and time chronology---- oldest to newest.]*

## **V Analysis**

*[For the issue listed in Part II of this document, list each element of proof separately and make a finding whether the CP has/has not established that element.]*

## **VI Conclusion**

With regard to the issue accepted for this complaint investigation, and based on the foregoing findings of fact, it is concluded that:

[Provide a simple statement answering the issue. For example: It is determined that the Respondent did provide supportive services to the CP in the amount of \$500 for car repairs.]

This determination is the final decision of the Local Workforce Board Y and concludes our processing of this matter.

## **VII Remedies**

If you find that there are remedies to be provided for the complainant to be made whole, then set forth the remedies, in this section and include the following statement:

The Respondent's failure to achieve compliance with this Notice of Final Action on or before \_\_\_\_\_ shall constitute a finding that voluntary compliance cannot be achieved, and may result in sanctions applied against the Respondent.

## **VIII Notice of Right to Request a Hearing**

If either party is dissatisfied with this Notice of Final Action, you may request a hearing with the Local Y board within seven (7) days from receipt of this letter at abcde.fg.gov or by 123-456-7890.

Respectfully,  
/s/  
Jessie Smith  
Local of Y EO Officer

# Missouri Office of Workforce Development Equal Opportunity Unit

For Questions and Technical Assistance Contact:

Missouri Office of Workforce Development  
(Equal Opportunity Unit)

Email: [DWDCComplaintsandGrievances@dhewd.mo.gov](mailto:DWDCComplaintsandGrievances@dhewd.mo.gov)

Website: [jobs.mo.gov/dwdmain](http://jobs.mo.gov/dwdmain)

Danielle Smith, State Equal Opportunity Officer

